



Benjamin W. Hulse
Direct Dial: 612-343-3256
E-Mail: bhulse@blackwellburke.com

September 19, 2018

VIA ECF

The Honorable Joan N. Ericksen
District Judge, District of Minnesota
United States District Court
12W U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415

RE: *In re Bair Hugger Forced Air Warming Devices Products Liability Litigation*
MDL No. 15-2666-JNE-FLN

Dear Judge Ericksen:

I am writing to update the Court on Defendants' Fourteenth Motion to Dismiss for Failure to Comply with Pretrial Order No. 14 (Dkt. No. 1463). This Motion concerns PFS deficiencies.

Plaintiffs in *Parker v. 3M Co., et al.* (No. 17-cv-03573), *Baker v. 3M Co., et al.* (No. 17-cv-04375), *Cunningham v. 3M Co., et al.* (No. 17-cv-04512), *Henderson v. 3M Co., et al.* (No. 17-cv-04517), *Murphy v. 3M Co., et al.* (No. 17-cv-04857), *McDonald v. 3M Co., et al.* (No. 17-cv-04877), *Shepard v. 3M Co., et al.* (No. 17-cv-05477), *Kilmer v. 3M Co., et al.* (No. 18-cv-00460), and *Homsher v. 3M Co., et al.* (No. 18-cv-00757) served original or amended PFSs after the Motion was filed. After considering these submissions, Defendants will no longer be seeking dismissal of these cases as part of this month's motion.

In addition, the parties have stipulated to dismissal of *Morgan v. 3M Co., et al.* (No. 17-cv-05087), *Taplin v. 3M Co., et al.* (No. 18-cv-00757), and *Archie v. 3M Co., et al.* (No. 18-cv-00805).

Finally, Defendants are withdrawing the Motion as to *Richey v. 3M Co., et al.* (No. 17-cv-05323), because the plaintiff has passed away. Defendants continue to seek dismissal of *Richey* pursuant to Defendants' Second Motion to Dismiss Cases for Failure to Comply with Pretrial Order No. 23 (Dkt. No. 1354). That Motion is noticed to be heard at tomorrow's status conference.

Sincerely,

s/Benjamin W. Hulse

Benjamin W. Hulse